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PATENT

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: HERBERT DAMSOHN ET AL.

Serial No.: 08/743,002 Group Art Unit: 3743

Filed: NOVEMBER 1, 1996 Examiner: L. LEO

Title: HEAT EXCHANGER FOR COOLING EXHAUST GAS AND METHOD OF
MANUFACTURING SAME

REQUEST FOR RECONSIDERATION

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Assistant Commissioner for Patents
Washington, D.C. 20231

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Sir:

Applicants' representative wishes to thank Examiner Leo for the courtesy extended during the personal interview conducted on July 19, 2001. A separate record of the substance of this interview is included in the remarks which follow.

Claims 22, 31-35, and 38 remain in this application. Claims 1-21, 23-30, 36, and 37 were previously canceled. Reconsideration of the application is respectfully requested.

Claim 22 was rejected, along with certain dependent claims, as being unpatentable over U.S. Patent 5,803,162 to Karbach et al. in view of U.S. Patent 4,546,825 to Melnyk et al. For reasons discussed during the interview and reiterated below, reconsideration of this rejection is in order.

As noted during the interview, projections 21 and 22 of the Karbach et al. heat exchanger do not rest on the metal sheets 34 and 35. Lines 21-26 in column 3 of the Karbach et al. patent state that the turbulence insert 20 is provided with projections 21 and 22. Lines 63-65 in column 4 of the Karbach et al. patent describe the projections 21 and 22 as set up such that they project from a surface resting against a metal sheet 34 or 35.

The projections 21 and 22 do not directly project from the tube shell formed by such metal sheets and are not directly attached to a tube shell surface. The heat exchanger forming the subject matter of the Karbach et al. patent, therefore, is not manufactured by a method comprising, in addition to others, the particular step of arranging a plurality of lugs by either the directly attaching or the integrally forming operation particularly specified in claim 22. The heat exchanger forming the subject matter of the Melnyk et al. patent relied on by the Examiner fails to disclose or suggest lugs of any sort. As was tentatively agreed during the interview, therefore, no possible combination of the Karbach et al. and Melnyk et al. patent disclosures could result in a heat exchanger manufacturing method comprising, in addition to others, the particular arranging step defined by claim 22. Claim 22, therefore, is patentable.

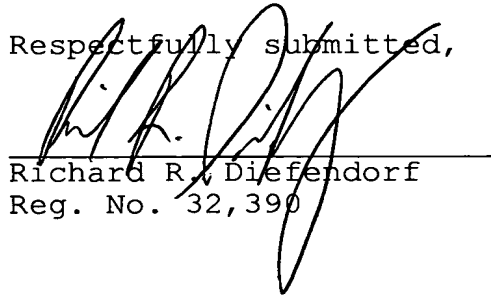
The rest of the claims remaining in this application depend on claim 22 and are patentable as well.

Reconsideration of this application is again respectfully requested. All claims in the application are now allowable.

Should the Examiner have any questions, the Examiner is invited to telephone the undersigned attorney.

July 20, 2001

Respectfully submitted,



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